

Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Volume 33, Number 4, December 2012

HIGHLIGHTS

IN 2012, THE STATEWIDE DISPOSITION RATE IN THE RHODE ISLAND JUDICIARY EXCEEDED 100%, UP FROM 94% LAST YEAR.

THE SUPREME COURT PENDING CASELOAD DECREASED BY 6% COMPARED TO LAST YEAR.

IN SUPERIOR COURT, FELONY DISPOSITIONS EXCEEDED FILINGS.

FAMILY COURT DIVORCE DISPOSITIONS EXCEEDED PETITIONS FILED STATEWIDE.

IN DISTRICT COURT MISDEMEANOR FILINGS WERE UP 6% COMPARED TO LAST YEAR.

PETITIONS FILED IN WORKERS' COMPENSATION COURT INCREASED BY 4 PERCENT.

TRAFFIC TRIBUNAL DISPOSITIONS EXCEEDED FILINGS FOR THE YEAR.

Supreme Court

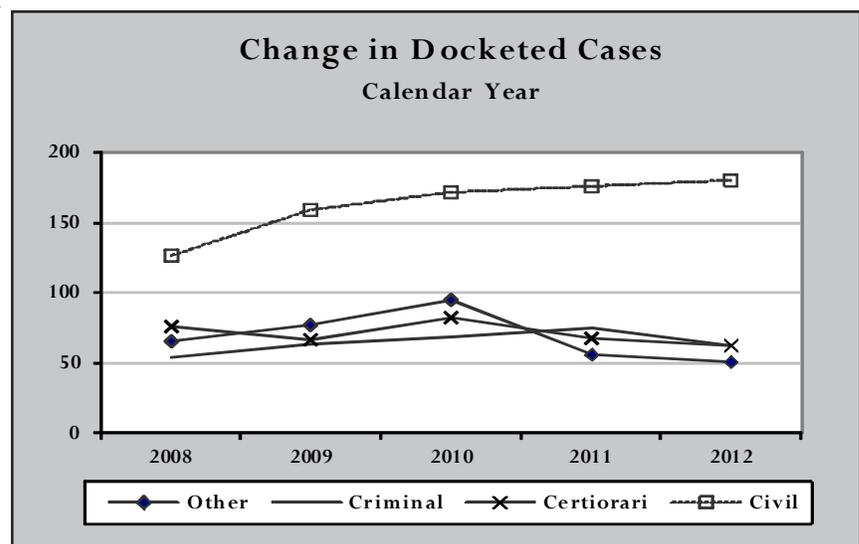
FILINGS

This report covers calendar year 2012. There were 355 Supreme Court cases docketed during the year, which is 20 (5 percent) fewer than those docketed last year. Compared to last year, appeals decreased in all categories, with the exception of civil appeals, where they increased by 2 percent (4).

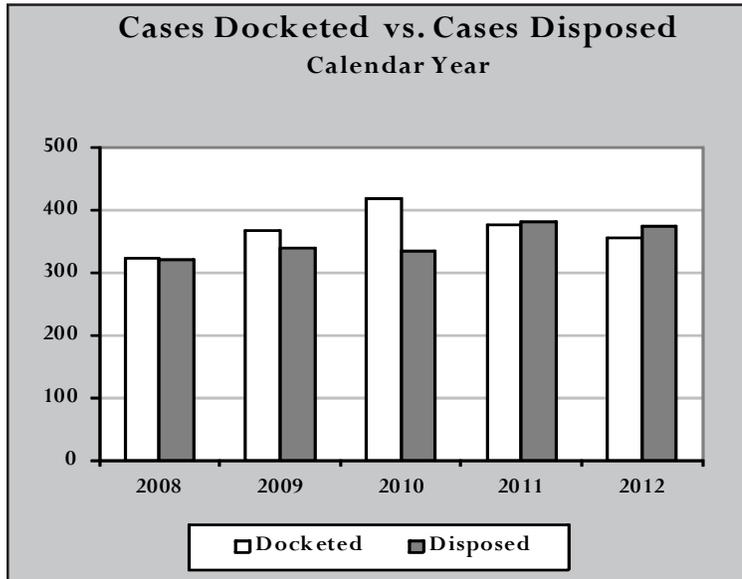
Criminal appeals dropped by 17 percent (13) and both certiorari and miscellaneous appeals decreased by 9 percent (6 and 5, respectively).

DISPOSITIONS

Like last year, dispositions exceeded new appeals in 2012. The number of appeals disposed was 373, which was 18 more than were docketed, resulting in a disposition rate exceeding 100 percent. As ex-



plained in more detail below, 27 (7 percent) of the 373 dispositions occurred during some stage of the Appel-



late Mediation Program (AMP).

A breakdown of dispositions by stage showed that 202 (54 percent) were disposed before argument. There were 103 appeals disposed as a result of the motion calendar, accounting for another 28 percent; and there were 68 appeals disposed after full oral argument on the merits, representing the remaining 18 percent. During calendar year 2012, the Supreme Court published 167 written decisions, including 21 orders and 146 opinions.

PENDING CASELOAD

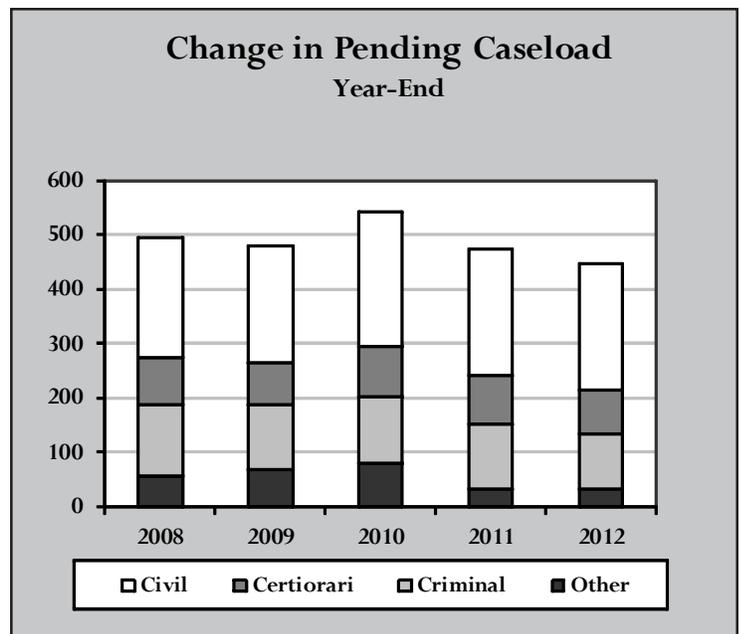
At year-end, the pending caseload was 447, which is 27 (6 percent) fewer than last year, due to a decrease in all categories of pending cases. Pending

civil appeals dropped by 1 percent (3), pending criminal appeals by 14 percent (16), writs of certiorari by 7 percent (6), and pending miscellaneous appeals decreased by 6 percent (2) compared to last year.

APPELLATE MEDIATION

During calendar year 2012, there were 164 new cases screened through the AMP. Of the 164 new cases screened, 102 were deemed either ineligible or inappropriate for mediation. During this time period, 27 cases were disposed at some stage in the mediation process, representing a 44 percent disposition rate.

Twenty-two of the 27 dispositions were settled at or after mediation, while the remaining 5 were dismissed or withdrawn at an earlier stage in the mediation process. As of December 31, 2012, there were 37 cases active in the program.



Superior Court

FELONY FILINGS

Superior Court filings (for all case types, statewide) decreased by 10 percent from 15,947 in 2011 to 14,302 in 2012. Statewide felony filings dropped by 605 (11 percent) from 5,393 last year to 4,788. Felony filings also decreased in both Providence/Bristol and Kent Counties by 11 percent and 23 percent (423 and 206), respectively. In Washington County, felony filings increased by 21 (5 percent), and in Newport County they rose by just 3 (1 percent).

FELONY DISPOSITIONS

Overall, statewide felony dispositions exceeded filings. Similarly, dispositions in both Kent and Providence/Bristol Counties exceeded filings, resulting in disposition rates over 100 percent. In Newport County, the felony disposition rate was 93 percent and in Washington County, it was 92 percent.

TIME TO DISPOSITION: FELONIES

The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in roughly 57 percent of the cases during 2012. This goal measures the time from when a felony is filed to the case disposition. Kent County handled 70 percent of its felony caseload

<i>Felony Filings</i>	2008	2009	2010	2011	2012
Providence/Bristol	4,060	3,716	3,915	3,766	3,343
Kent	676	776	775	901	695
Washington	438	389	499	390	411
Newport	325	275	354	336	339
Total	5,499	5,156	5,543	5,393	4,788
<i>Misdemeanor Filings</i>					
Providence/Bristol	132	87	122	118	111
Kent	42	25	49	30	43
Washington	23	30	26	36	45
Newport	43	75	54	19	25
Total	240	217	251	203	224
<i>Civil Filings</i>					
Total	11,855	10,778	11,286	10,351	9,290
<i>Civil Cases Added to the Trial Calendar</i>					
Providence/Bristol	1,336	1,216	1,160	810	599
Kent	321	289	269	227	193
Washington	179	169	159	122	105
Newport	148	107	95	87	61
Total	1,984	1,781	1,683	1,246	958

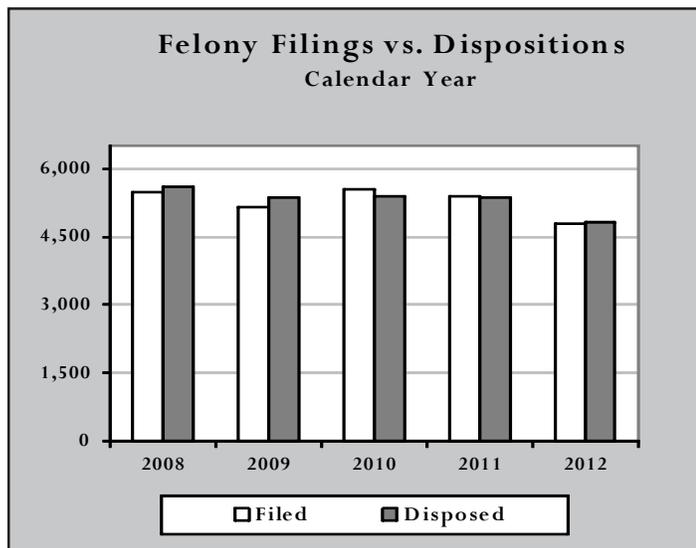
within 180 days, while Washington County met the 180 day guideline in 72 percent of the cases. Newport County met the guideline in 77 percent of the cases, and in Providence/Bristol County, the figure was 51 percent.

PENDING FELONY CASELOAD

The number of felonies pending statewide totaled 2,618 at year-end, and 57 percent had been pending over 180 days from filing. Providence/Bristol County had 1,348 cases over 180 days old. Kent County had 87; Washington County, 49; and Newport County, 13.

MISDEMEANOR FILINGS

Statewide, the total number of misdemeanor appeals in 2012 was 224, increasing by 21 (10 percent) compared to last year. This increase occurred in all counties except Providence/Bristol, which had a 7 percent decline in misdemeanor filings. There was a 25 percent increase in misdemeanor appeals filed in Washington County, and in Kent and Newport Counties, misdemeanor filings rose by 43 and 32 percent, respectively.



MISDEMEANOR DISPOSITIONS

Collectively, statewide misdemeanor dispositions exceeded filings in 2012. Additionally, misdemeanor dispositions exceeded filings in all counties, with the exception of Kent county, where the disposition rate was 84 percent

TIME TO DISPOSITION: MISDEMEANORS

Statewide, the Superior Court disposed 34 percent of its misdemeanors within 90 days, which is the Superior Court’s goal for handling misdemeanor appeals from filing to disposition. Kent County had the largest percentage of 64 percent, while Newport County handled 52 percent of its misdemeanors within 90 days. In Providence/Bristol County, 14 percent of the misdemeanors were disposed within 90 days, and in Washington County it was 56 percent.

PENDING MISDEMEANOR CASELOAD

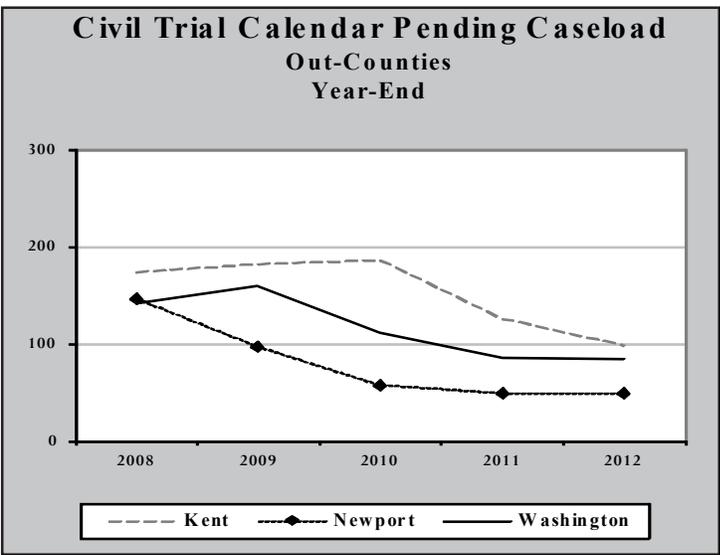
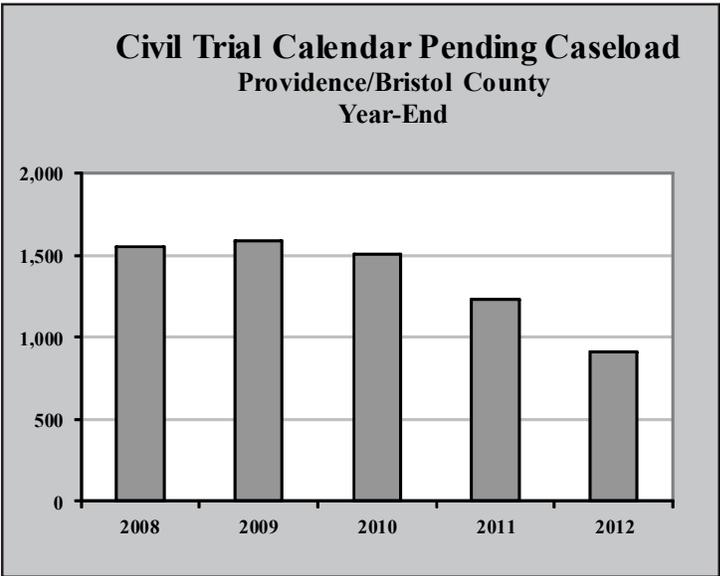
At the end of 2012, there were 150 misdemeanor appeals pending statewide, and 73 percent (110) were over 90 days old.

CIVIL FILINGS AND DISPOSITIONS

Civil filings decreased by 10 percent from 10,351 in 2011 to 9,290 in 2012. Through the fourth quarter, there were a total of 25,085 civil cases disposed, which included 6,811 that were disposed through normal case processing. This figure is a decline of 407 (almost 6 percent) over last year’s civil dispositions (7,218). The remaining 18,274 civil cases were disposed on January 3, 2012 by an automated mass dismissal of pending unassigned cases with a filing date prior to September 15, 2005. Under G.L. 1956 § 9-8-5, the court is authorized to dismiss civil cases with no action in 5 years or more, provided it complies with the required notification.

CIVIL CASES ADDED AND DISPOSED: TRIAL CALENDAR

Statewide, the number of cases added to the civil trial calendar in 2012 decreased by 288 (23 percent) with a decline in all four counties. The number of cases added in Providence/Bristol County dropped by 26 percent; Kent by 15 percent; Washington by 14 percent; and



Newport by 30 percent. All counties disposed more civil cases than were added to the calendar in 2012, resulting in disposition rates exceeding 100 percent.

PENDING CIVIL CASELOAD: TRIAL CALENDAR

Statewide, assigned civil cases pending at year-end decreased by 23 percent to 1,145 compared to last year (1,491). At the end of the calendar year, there were 49 cases pending trial in Newport County, 1 more (2 percent) than last year. The number of assigned cases pending trial dropped by 1 (1 percent) in Washington County, by 319 (26 percent) in Providence/Bristol County, and by 27 (22 percent) in Kent County.

Family Court

JUVENILE FILINGS

Total Family Court filings decreased by 1,267 (6 percent) from 20,489 in 2011 to 19,222 in 2012. Despite the decline in filings, the Family Court conducted 85,218 hearings during this time period. There was an overall decline in juvenile filings, dropping by 749 (10 percent) compared to last year. Filings decreased in all case categories, with the exception of dependency/neglect/abuse (DNA), where they increased by 206 (17 percent), and the general category of “other,” where they increased by 9 (16

percent). Wayward/delinquent filings dropped by 16 percent (832); termination of parental rights (TPR) petitions by 1 percent (3); adoption/guardianship by 9 percent (44); and violations by 11 percent (85) in 2012.

In terms of juvenile filings by location, all counties experienced a decrease compared to last year, except Washington County, where filings increased by 1 percent (6). Juvenile filings declined by 616 (11 percent) in Providence/Bristol County, by 32 (7 percent) in Newport County, and by 107 (10 percent) in Kent County.

JUVENILE DISPOSITIONS

In the wayward/delinquent category, which includes violations of probation and court orders, juvenile dispositions exceeded filings, statewide. Dispositions also exceeded filings in Providence/Bristol County

<i>Juvenile Filings by Case Type</i>	2008	2009	2010	2011	2012
Wayward/Delinquent	6,713	6,065	5,618	5,138	4,306
Violations	1,029	874	926	767	682
Dependency/Neglect/Abuse	1,705	1,591	1,563	1,205	1,411
Termination of Parental Rights	369	301	290	202	199
Adoption/Guardianship	492	467	482	486	442
Other	62	52	80	57	66
Total	10,370	9,350	8,959	7,855	7,106
<i>Juvenile Filings by County</i>					
Providence/Bristol	7,313	6,577	6,429	5,643	5,027
Kent	1,560	1,353	1,155	1,068	961
Washington	876	817	806	659	665
Newport	621	603	569	485	453
Total	10,370	9,350	8,959	7,855	7,106
<i>Divorce Filings by County</i>					
Providence/Bristol	2,995	2,875	3,025	2,990	2,977
Kent	764	758	791	773	731
Washington	503	520	570	493	460
Newport	334	317	337	356	318
Total	4,596	4,470	4,723	4,612	4,486
<i>Abuse Filings</i>					
Courtwide	2,225	2,292	2,399	2,492	2,210

and Washington County. In Kent and Newport Counties, the disposition rates were 73 percent and 95 percent, respectively. In the child protection category, the statewide disposition rate was 93 percent. In Providence/Bristol and Washington Counties, the disposition rates were 90 percent and 93 percent, respectively. In both Kent and Newport Counties, dispositions exceeded filings, resulting in disposition rates over 100 percent.

TIME TO DISPOSITION: JUVENILE CASES

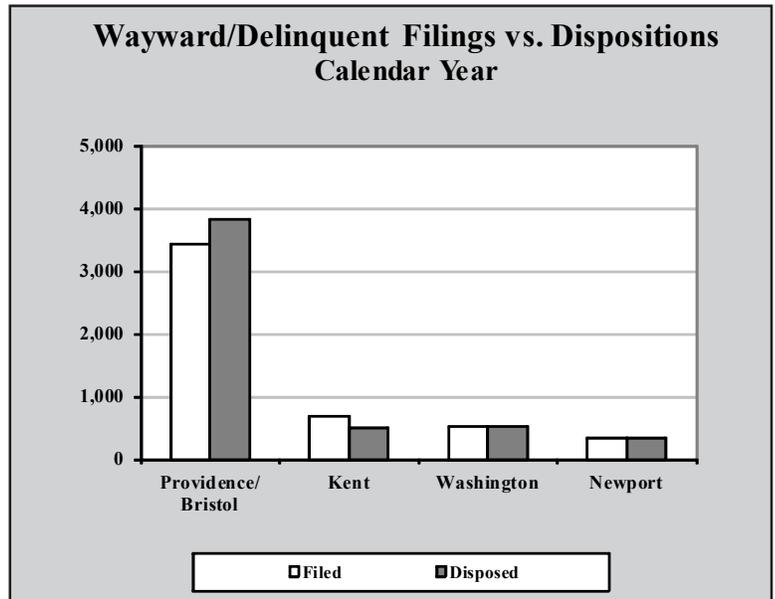
The Family Court has established a timeframe of 180 days as the goal for adjudicating juvenile cases. This goal measures the time from filing until a finding is entered, not the time to final disposition of a case. In 2012, Providence/Bristol County adjudicated 56 percent of its wayward/delinquent cases within 180 days (again with viola-

tions included). Kent County adjudicated 52 percent of this caseload within 180 days. In Washington County, 51 percent of the cases were handled within the guideline, and in Newport County, it was 49 percent. For wayward/delinquent cases handled by the Juvenile Services Unit without court intervention, the goal is 45 days. During the calendar year, 84 percent of these cases met this goal; furthermore, 97 percent were handled within 90 days.

In child protection cases statewide, Family Court met the 180 day guideline in 69 percent of the cases for TPR and in 44 percent of the cases for DNA matters. In Providence/Bristol County, 46 percent of the DNA cases and 69 percent of the TPR matters were adjudicated within 180 days.

PENDING TPR CASELOAD

A specific area the court monitors closely is the cases pending on the contested TPR calendar in Providence/Bristol County. At the end of the year, 40 cases, representing 27 families, remained on this calendar. Of those 40 cases, 21 cases (representing 13 families) were over 180 days old.



DOMESTIC FILINGS AND DISPOSITIONS

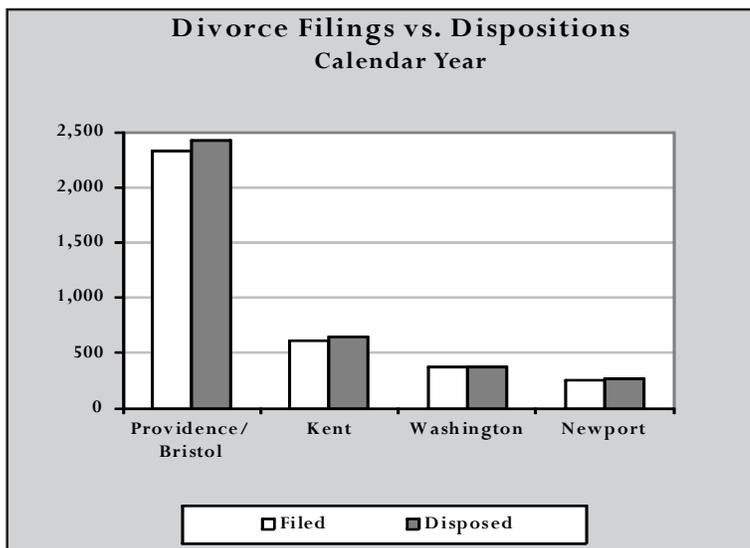
On the domestic side, divorce filings declined from last year, decreasing by 126 (3 percent) statewide, dropping in all counties. In Providence/Bristol County, divorce filings declined slightly by less than 1 percent (13), and in Kent County by 5 percent (42). Washington County filings dropped by 33 (7 percent), while there was a decrease of 38 (11 percent) in Newport County, compared to last year. Divorce dispositions exceeded filings statewide and in each county.

PENDING DIVORCE CASELOAD

At year-end, the total number of divorce cases pending over a year was 51 statewide. Newport County had 15 divorce cases pending over a year, while Providence/Bristol County had 29. Kent County had 4 cases pending and Washington County had 3 cases pending over one year.

ABUSE AND SUPPORT FILINGS

Abuse complaints rose this year by 282, representing an increase of 11 percent. Support petitions increased in 2012 by 110 (almost 2 percent) to 5,420.



District Court

<i>Misdemeanor Filings</i>	2008	2009	2010	2011	2012
Second	2,542	2,483	2,757	2,605	2,534
Third	7,221	7,270	7,398	8,276	10,649
Fourth	3,921	3,379	3,266	2,889	2,993
Sixth	14,474	13,469	13,390	12,242	11,464
Total	28,158	26,601	26,811	26,012	27,640
<i>Felony Filings</i>					
Courtwide	7,434	7,186	7,415	7,384	7,280
<i>Civil Filings</i>					
Second	1,413	1,304	1,379	1,378	1,261
Third	6,519	6,678	6,696	7,110	8,152
Fourth	1,692	1,707	1,805	1,569	1,156
Sixth	15,577	14,116	14,062	13,510	12,400
Total	25,201	23,805	23,942	23,567	22,969
<i>Small Claims</i>					
Second	957	521	730	602	584
Third	6,564	9,871	4,208	3,791	4,644
Fourth	1,500	1,002	979	872	749
Sixth	12,295	7,824	8,015	6,279	5,153
Total	21,316	19,218	13,932	11,544	11,130
<i>Other Categories</i>					
Courtwide	1,802	1,919	2,169	2,362	2,201

2,993 misdemeanor cases filed in the Fourth Division included 3,835 counts, and in the Sixth Division, the 11,464 misdemeanor case filings were comprised of 15,180 counts.

MISDEMEANOR DISPOSITIONS

In 2012, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the statewide disposition rate for misdemeanors was 95 percent. The disposition rate in the Second Division was 99 percent, while the Third Division had a rate of 95 percent. In the Fourth Division, the disposition rate was 96 percent, where the Sixth Division had a disposition rate of 93 percent.

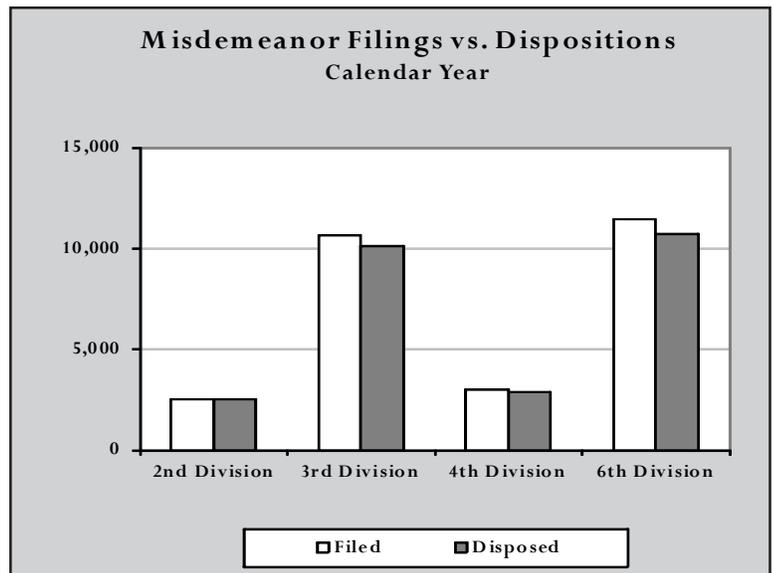
TIME TO DISPOSITION: MISDEMEANORS

The court's goal is to dispose of misdemeanors within 60 days of filing. This measures the time between a case's filing and disposition date. Statewide, this goal was met in 73 percent of the cases. Through year-end, the Second Division handled 76 percent of its misdemeanor caseload within 60 days. In the Fourth and Sixth Divisions, 68

MISDEMEANOR FILINGS

In District Court, misdemeanor filings increased in calendar year 2012 compared to last year. The total number filed rose from 26,012 last year to 27,640, an increase of 1,628 (6 percent). Misdemeanor filings increased in both the Third and Fourth Divisions, where they rose by 2,373 and 104 (29 percent and 4 percent), respectively. In the Second Division, filings dropped by 3 percent (71), and in the Sixth Division they decreased by 6 percent (778).

The 27,640 statewide misdemeanor case filings in calendar year 2012 were comprised of 36,310 individual counts. In the Second Division, the 2,534 misdemeanor cases filed represented 3,565 counts, while the Third Division misdemeanor case filings (10,649) resulted in 13,730 counts. Furthermore, the



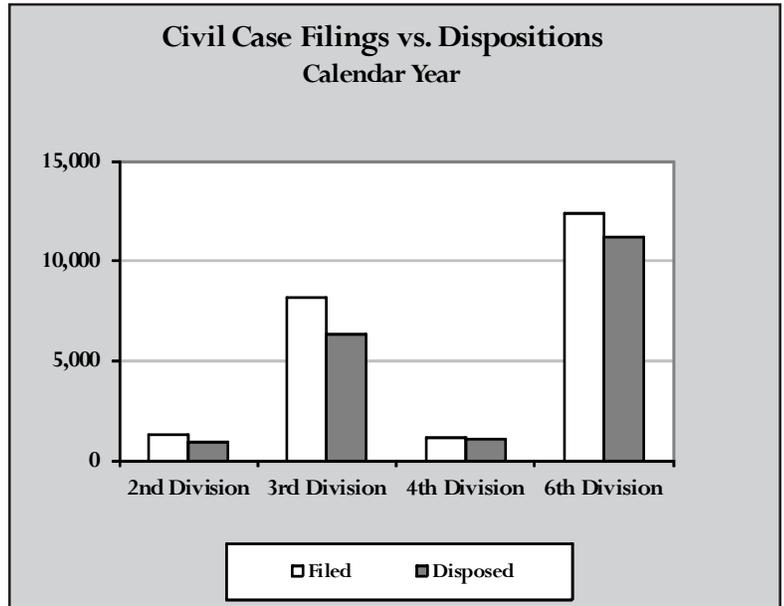
percent and 71 percent of the misdemeanor cases were disposed within 60 days, respectively, while the Third Division disposed 77 percent of its misdemeanors within the 60 day timeframe.

PENDING MISDEMEANOR CASELOAD

At the end of 2012, there were a total of 3,604 misdemeanors pending; 60 percent were less than 60 days old, and another 27 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 139, while in the Third Division, it was 451. There were 167 misdemeanors pending more than 60 days in the Fourth Division and 672 in the Sixth Division. The number of misdemeanors over 60 days old has increased by 42 percent from 1,009 a year ago to 1,429.

FELONY FILINGS

Felony filings in 2012 dropped slightly by 1 percent over those filed last year, decreasing from 7,384 to 7,280. Felony filings decreased by 11 percent (58) in the Fourth Division, by 9 percent (371) in the Sixth Division, and by 19 percent (105) in the Second Division. In the Third Division, felony filings increased by 430 (22 percent), compared to last year.

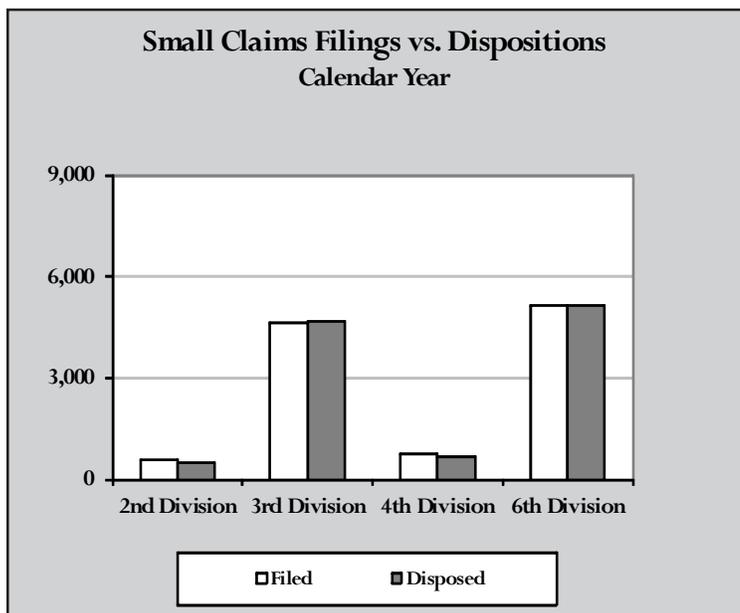


CIVIL FILINGS

On the civil side, filings declined by nearly 3 percent from 23,567 in 2011 to 22,969 in 2012, a difference of 598. Civil filings decreased in all divisions except the Third Division, where they rose by 1,042 (15 percent). In the Fourth and Sixth Divisions, civil filings dropped by 26 and 8 percent (413 and 1,110), respectively. Civil filings decreased by 9 percent (117) in the Second Division, compared to last year. Statewide, abuse filings decreased from 860 in 2011 to 730 in 2012, a decline of 130 (15 percent). Statewide, small claims decreased by 4 percent, dropping by 414 from 11,544 in 2011 to 11,130 in 2012. There was a decline in all divisions in small claims filings in 2012, except for the Third Division, where they increased by 23 percent (853). Filings in the Second Division dropped by 3 percent (18), whereas the Fourth Division filings declined by 14 percent (123), and the Sixth Division by 18 percent (1,126).

CIVIL DISPOSITIONS

The statewide disposition rate for civil cases was 85 percent, a slight decrease compared to last year (86 percent). In addition, the statewide disposition rate for small claims was 99 percent, and the disposition rate for abuse cases was 91 percent.



Workers' Compensation Court

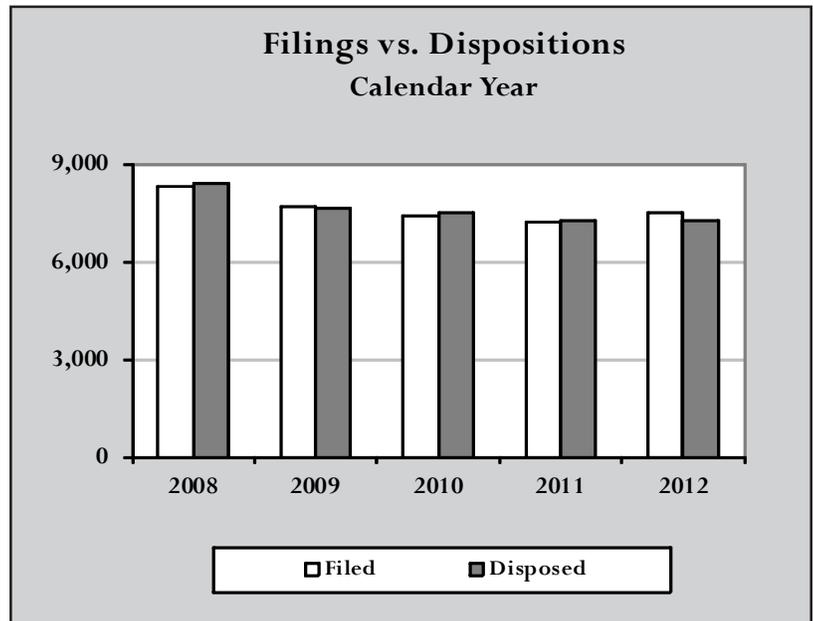
PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court during calendar year 2012 increased by 258 from last year. In calendar year 2011, there were 7,222 petitions filed, and this year there were 7,480, a difference of 4 percent.

Filings increased in 5 case categories and declined in 3. Lump sum settlements rose by 5 percent (44), while employee petitions and original petitions increased by 7 and 1 percent (139 and 19), respectively. Also, petitions to enforce rose by 18 percent (125), while petitions for 2nd injury went from 0 to 1. During 2012, both employer petitions and miscellaneous petitions dropped by 10 (1 percent and 5 percent, respectively), and petitions for medical declined by 50 (33 percent).

PETITIONS DISPOSED

For calendar year 2012, filings (7,480) exceeded dispositions (7,243) slightly, resulting in a disposition rate of 97 percent. Cases disposed during the pretrial



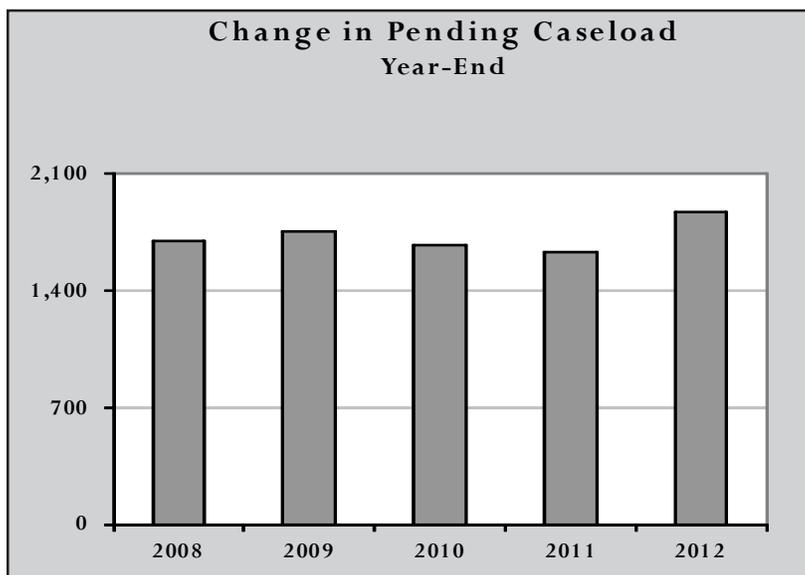
stage accounted for 74 percent of the total, the same as the previous 2 years.

TIME TO DISPOSITION

The Workers' Compensation Court has established a goal of 90 days for cases to be disposed at pretrial and 360 days for those cases that go to trial. This measures the time from filing to disposition of a petition. The percentage of cases disposed at pretrial within 90 days was 88 percent, the same as last year. Also, 89 percent of the cases disposed at trial were handled within 360 days, which is also the same as last year.

PENDING CASELOAD

Compared to last year, the total number of petitions pending increased by 15 percent (242) from 1,629 to 1,871. The number pending trial rose by 135 (19 percent) from 697 to 832. Furthermore, the petitions pending trial over 270 days increased from 220 to 296, representing 36 percent of the total number pending trial.



Rhode Island Traffic Tribunal

<i>Filings</i>	2008	2009	2010	2011	2012
Total Summonses Issued *	211,153	150,533	143,982	149,284	161,001
RITT Summonses Issued	98,407	85,790	83,419	82,960	94,721
RITT Violations	118,387	104,395	102,115	102,046	115,127
RITT Dispositions					
Court Hearings	63,406	59,491	57,286	56,764	70,622
Payments by Mail	37,638	30,350	27,641	25,965	27,079
Total Disposed	101,044	89,841	84,927	82,729	97,701
* Includes summonses issued to both the RITT and municipal courts.					

TIME TO DISPOSITION

The RITT has adopted 60 days from initial appearance as a guideline for disposing summonses, which measures the time from the initial appearance to disposition. During 2012, 96 percent of all dispositions met this guideline.

Furthermore, 78 percent of breathalyzer refusals and 93 percent of insurance violations were disposed within the 60 day timeframe.

As in the past, the majority of dispositions took place before or at the arraignment stage, although the results were different for certain categories. Based on statistics relating to the number of violations (separate offenses) 22 percent of all violations disposed occurred prior to arraignment, while another 59 percent occurred at arraignment. Also, 82 percent of insurance violations and 26 percent of breathalyzer refusal matters were disposed at arraignment.

PENDING CASELOAD

The total number of summonses pending at year-end was 2,196, with 1,800 (82 percent) pending over 60 days.

SUMMONSES ISSUED

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) increased in calendar year 2012, rising by 14 percent from 82,960 last year to 94,721. Furthermore, the 94,721 summonses issued during this time period included a total of 115,127 violations. In addition to these filings, the court had increases in motion hearings, with over 4,350 hearings, and show cause hearings, with over 9,674 hearings. In terms of summonses by category, those issued in one major category of breathalyzer refusals increased compared to last year, rising by 17 percent (272), while insurance violations increased by 1 percent (79) in 2012. The RITT summonses accounted for roughly 59 percent of the total summonses issued during the year.

SUMMONSES DISPOSED

For 2012, RITT dispositions (97,701) exceeded the number of summonses filed, resulting in a disposition rate over 100 percent. Payments by mail represented 28 percent of the dispositions in 2012, while the remaining 72 percent were disposed by court hearings.

